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COMMISSION ON HUMAN RIGHTS
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Agenda item 16

REPORT OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES ON ITS FORTY-EIGHTH SESSION

Argentina, Canada, Chile, Croatia*, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia*, Finland*, Germany, Hungary*, Iceland*, Italy, Madagascar, Norway*, Poland*, Portugal*, Romania*, Slovakia*, Slovenia*, South Africa, Sweden*, Switzerland* and Uruguay: draft resolution

1997/.. Minimum humanitarian standards

The Commission on Human Rights,

Gravely concerned at the large number of situations where internal violence causes extensive suffering and breaches of the principles of humanity and undermines the protection of human rights,

Conscious of the desirability of continuing to study the principles of humanity governing the behaviour of all persons, groups and public authorities,

Emphasizing, in this regard, the need to identify and implement measures to prevent violations and abuses of human rights and fundamental freedoms, in particular the right to life and integrity of the individual,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Recalling its resolution 1996/26 of 19 April 1996 and welcoming the report of the International Workshop on Minimum Humanitarian Standards organized in Cape Town, South Africa from 27 to 29 September 1996 (E/CN.4/1997/77/Add.1, annex), by the Governments of Denmark, Finland, Iceland, Norway, Sweden and South Africa, in cooperation with the International Committee of the Red Cross, to address the issue of minimum humanitarian standards applicable in all situations,

1. Recognizes the desirability of identifying principles applicable to all situations in a manner consistent with international law, including the Charter of the United Nations;

2. Also recognizes in this regard the vital importance of the existence in each country of appropriate national legislation for dealing with such situations in a manner consistent with the rule of law;

3. Invites all States to consider reviewing their national legislation relevant to situations of public emergency with a view to ensuring that it meets the requirements of the rule of law and that it does not involve discrimination on the grounds of race, colour, sex, language, religion or social origin;

4. Requests the Secretary-General, in coordination with the International Committee of the Red Cross and within existing resources, to submit to the Commission at its fifty-fourth session an analytical report on the issue of fundamental standards of humanity, taking into consideration in particular the issues raised in the report of the International Workshop on Minimum Humanitarian Standards held in Cape Town, South Africa from 27 to 29 September 1996, and identifying, inter alia, common rules of human rights law and international humanitarian law that are applicable in all circumstances;

5. Also requests the Secretary-General, in preparing his study, to seek the views of and information from Governments, United Nations bodies, in particular the Office of the United Nations High Commissioner for Refugees, the human rights treaty bodies and intergovernmental organizations, as well as regional organizations and non-governmental organizations.

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